

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**Nos. 13-cv-1064 RB/SMV  
11-cr-0487 RB**

**RICARDO GUTIERREZ,**

**Defendant.**

**ORDER FOR ANSWER**

THIS MATTER is before the Court, sua sponte under rule 4(b) of the Rules Governing Section 2255 Cases, on Defendant Gutierrez's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence, [CV Doc. 1], [CR Doc. 396], filed on October 29, 2013. In accordance with rule 4(b), the Court will direct the United States to answer Defendant's motion.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the Clerk is directed to forward a copy of Defendant Gutierrez's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence, [CV Doc. 1], [CR Doc. 396], and supporting papers and exhibits, if any, together with a copy of this Order, to the United States of America c/o Steven R. Spitzer, U.S. Attorney's Office, 700 East San Antonio Suite 200, El Paso, Texas 79901.

**IT IS FURTHER ORDERED** that, within twenty-three (23) days of entry of this Order, the United States shall answer Defendant Gutierrez's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence.

**IT IS SO ORDERED.**



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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**